

TTAB

UNITED STATES PATENT
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: May 23, 2007

Cancellation No. 92047559
Reg. No. 3196507

78/823,304

The Aimbridge Group
Suite 300, 4610 S. Ulster Street
Denver, CO 80237 UNITED STATES

East West Bank

V.

The Aimbridge Group

Thomas T. Chan
Chan Law Group LLP
PO Box 79159
Los Angeles, CA 90079-0159 UNITED STATES

Lalita R. Greer, Paralegal Specialist:

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

ANSWER IS DUE FORTY DAYS after the mailing date hereof.
(See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. Notices concerning the rules changes, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), are available on the TTAB's web page at www.uspto.gov/web/offices/dcom/ttab/.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and



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depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

Discovery and testimony periods are set as follows:

Discovery period to open: 6/12/2007

Discovery period to close: 12/9/2007

30-day testimony period for party
in position of plaintiff to close: 3/8/2008

30-day testimony period for party
in position of defendant to close: 5/7/2008

15-day rebuttal testimony period
for plaintiff to close: 6/21/2008

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See TBMP § 502.06(a) (2d ed. rev. 2004).

If the parties to this proceeding are (or during the pendency of this proceeding, become) parties to another Board or civil proceeding involving related marks or other common issues of law or fact, they shall notify the Board immediately, so that the Board can consider consolidation or suspension of proceedings, if appropriate.

New Developments at the Trademark Trial and Appeal Board

For faster handling of all papers, the TTAB strongly encourages electronic filing whenever possible. TTAB forms for electronic filings are available at

<http://estta.uspto.gov>. Images of TTAB proceeding files
can be viewed using TTABvue at <http://ttabvue.uspto.gov>.

ESTTA Tracking number: **ESTTA141953**Filing date: **05/22/2007**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	East West Bank		
Entity	Corporation	Citizenship	California
Address	135 N. Los Robles Ave., 7th Floor Pasadena, CA 91101 UNITED STATES		

Attorney information	Ronald M. St. Marie Chan Law Group LLP 1055 West 7th Street, Suite 1880 Los Angeles, CA 90017 UNITED STATES twwang@chanlaw.com Phone:213 624-6560
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Registration Subject to Cancellation

Registration No	3196507	Registration date	01/09/2007
Registrant	The Aimbridge Group Suite 300 4610 S. Ulster Street Denver, CO 80237 UNITED STATES		
Goods/Services Subject to Cancellation	Class 036. First Use: 2004/06/00 , First Use In Commerce: 2004/06/00 Goods/Services: Consumer lending services; Credit reporting services; Financial information provided by electronic means; Financial loan consultation; Matching borrowers with potential lenders in the field of consumer and mortgage lending; Mortgage procurement for others; Mortgages services,namely, buyer pre-qualification of mortgages for mortgage brokers and banks		

Attachments	78897563#TMSN.jpeg (1 page)(bytes) Petition to Cancel 3196507.PDF (6 pages)(144910 bytes)
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Signature	/Ronald M. St. Marie/
Name	Ronald M. St. Marie
Date	05/22/2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 3196507

For the mark POWERBRIDGE

Date Registered: September 1, 2007

EAST WEST BANK,)	
)	
Petitioner,)	Cancellation No.:
v.)	
)	
THE AIMBRIDGE GROUP,)	
)	
Registrant.)	
)	

UNITED STATES PATENT & TRADEMARK OFFICE
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PETITION TO CANCEL

EAST WEST BANK ("Petitioner") is a California corporation having its business address at 135 N. Los Robles Ave., 7th Floor, Pasadena, California 91101. To the best of Petitioner's knowledge, The Aimbridge Group ("Registrant") is the current owner of Registration No. 3196507. To the best of Petitioner's knowledge, Registrant is a Colorado Corporation having its business address at 4610 S. Ulster St., Suite #300, Denver, CO 80237.

Petitioner believes that it is and/or will be damaged by the above-identified registration, and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. Registrant obtained a registration for POWERBRIDGE for Consumer lending services; Credit reporting services; Financial information provided by electronic means; Financial loan consultation; Matching borrowers with potential lenders in the field of consumer and mortgage lending; Mortgage procurement for others; Mortgages services, namely, buyer pre-qualification of mortgages for mortgage brokers and banks in International Class 36, among others. The registration was obtained pursuant to Section 1(a) of the Trademark Act with a first use in commerce date of June, 2004.

2. Petitioner is the owner of the trademarks ("Petitioner's Marks"): (a) YOUR FINANCIAL BRIDGE, Serial No. 78/897,563, for "banking; cash management," in International Class 36; and (b) BUSINESS BRIDGE, Serial No. 78/890,654, for "banking; cash management," in International Class 36.

3. Petitioner has used the respective marks identified above in interstate commerce since at least (a) January 1, 1997 and (b) May 15, 1997, respectively. Petitioner is now using the marks identified above in connection with the respective services identified above. The use has been valid and continuous since the date of first use within the United States and has not been abandoned. Petitioner's Marks are symbolic of the good will and consumer recognition built up by Petitioner through time and effort in advertising and promotion.

4. Petitioner has been and will continue to be damaged by the issuance and existence of Registration No. 3196507 in that such registration is being used by the

Registrant so as to misrepresent the source of the services on or in connection with which the mark is used.

5. Upon information and belief, Registrant has abandoned use of Registration No. 3196507 for their services in International Class 36, among others.

6. Upon information and belief, the term POWERBRIDGE has been a generic term of art that has been used in that segment of the financial services industry of which the Petitioners are members, to describe *<generic meaning>*.

7. Petitioner has developed extensive goodwill with respect to Petitioner's Marks.

8. Petitioner has spent significant sums in the advertisement and promotion of the services sold in connection with Petitioner's Marks.

9. As a result of the advertisement and promotion of Petitioner's Marks, along with the high quality of the services sold in connection with Petitioner's Marks, Petitioner has acquired a valuable reputation for Petitioner's Marks.

10. Registrant's mark is confusingly similar to Petitioner's Marks and is applied to services that are nearly identical to those sold by Petitioner.

11. Petitioner has been and will continue to be damaged by the issuance and existence of Registration No. 3196507 in that confusion in the trade is likely to result from any concurrent use of Petitioner's Marks and that of Registrant, all to the great detriment of Petitioner, who has expended considerable sums and effort in promoting Petitioner's Marks.

12. Purchasers are likely to consider the services of the Registrant sold under the mark POWERBRIDGE as emanating from Petitioner, and purchase such services as

those of the Petitioner, resulting in loss of sales to Petitioner.

13. Concurrent use of the mark by Registrant and Petitioner may result in irreparable damage to Petitioner's reputation and goodwill if the services sold by the Registrant are inferior, since purchasers are likely to attribute the source of the Registrant's services to the Petitioner.

14. If the Registrant is permitted to retain the registration sought to be canceled, a cloud will be placed on Petitioner's title in and to Petitioner's Marks, and on its right to enjoy the free and exclusive use thereof in connection with the sale of its services, all to the great injury of Petitioner.

WHEREFORE, Petitioner prays that said Registration No. 3196507 be canceled and that this Petition to Cancel be sustained in favor of Petitioner.


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Petitioner hereby appoints Thomas T. Chan; Ronald M. St. Marie; Ivan Posey and Lisa A. Karczewski (Reg. No. 53,096), members of the CHAN LAW GROUP LLP, with offices at P.O. Box 79159, Los Angeles, California 90079-0159, as its attorneys to prosecute this cancellation proceeding and to transact all business in and before the United States Patent and Trademark Office in connection herewith.

Respectfully submitted,
CHAN LAW GROUP LLP

Dated: May 22, 2007

By: 
Thomas T. Chan
Ronald M. St. Marie
Ivan Posey
Linda A. Karczewski
Attorneys for Petitioner
EAST WEST BANK

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POWERBRIDGE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 3196507

For the mark POWERBRIDGE

Date Registered: September 1, 2007


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CERTIFICATE OF SERVICE

I certify **PETITION TO CANCEL** that is being served on Applicant by mailing a true and correct copy to the attorneys of record, via First Class Mail, Tuesday, May 22, 2007, in an envelope addressed as follows:

David A. Lowe, Esq.
Black Lowe & Graham
701 Fifth Avenue, Suite 4800
Seattle, WA 98104



Tina Wang

United States Patent and Trademark Office

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA, 22313-1451

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RETURN TO SENDER

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